

By:

Lucio

S J.R. No. 12

SENATE

A JOINT RESOLUTION

1 proposing a constitutional amendment providing for the issuance  
2 of additional general obligation bonds by the Texas Water  
3 Development Board to provide assistance to economically  
4 distressed areas.

5 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Article III, Texas Constitution, is amended by  
7 adding Section 49-d-10 to read as follows:

8 Sec. 49-d-10. (a) The Texas Water Development Board may  
9 issue additional general obligation bonds, at its determination,  
10 for the economically distressed areas program account of the  
11 Texas Water Development Fund II, in an amount not to exceed \$785  
12 million. The bonds shall be used to provide financial  
13 assistance to economically distressed areas of the state as  
14 defined by law.

15 (b) Section 49-d-8(e) of this article applies to the bonds  
16 authorized by this section.

17 SECTION 2. This proposed constitutional amendment shall be  
18 submitted to the voters at an election to be held November 8,  
19 2005. The ballot shall be printed to provide for voting for or  
20 against the proposition: "The constitutional amendment  
21 providing for the issuance of additional general obligation

1 bonds by the Texas Water Development Board in an amount not to  
2 exceed \$785 million to provide assistance to economically  
3 distressed areas."

1-1 By: Lucio S.J.R. No. 12  
1-2 (In the Senate - Filed June 21, 2005; June 23, 2005, read  
1-3 first time and referred to Committee on International Relations and  
1-4 Trade; June 29, 2005, reported favorably by the following vote:  
1-5 Yeas 5, Nays 0; June 29, 2005, sent to printer.)

1-6 SENATE JOINT RESOLUTION

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1-24 proposition: "The constitutional amendment providing for the  
1-25 issuance of additional general obligation bonds by the Texas Water  
1-26 Development Board in an amount not to exceed \$785 million to provide  
1-27 assistance to economically distressed areas."

1-28 \* \* \* \* \*

FAVORABLE  
SENATE COMMITTEE REPORT ON

SB SCR SJR SR HB HCR HJR 12  
By Lucio  
(Author/Senate Sponsor)  
6-29-05  
(date)

We, your Committee on INTERNATIONAL RELATIONS AND TRADE, to which was referred the attached measure,  
have on 6/29/05, had the same under consideration and I am instructed to report it  
(date of hearing)  
back with the recommendation (s) that it:

- ☒ do pass and be printed  
☐ do pass and be ordered not printed  
☐ and is recommended for placement on the Local and Uncontested Bills Calendar.

A fiscal note was requested. ☒ yes ☐ no

A revised fiscal note was requested. ☐ yes ☒ no

An actuarial analysis was requested. ☐ yes ☒ no

Considered by subcommittee. ☐ yes ☒ no

The measure was reported from Committee by the following vote:

	YEA	NAY	ABSENT	PNV
Senator Eddie Lucio, Chair	<input checked="" type="checkbox"/>			
Senator Eliot Shapleigh, Vice-Chair	<input checked="" type="checkbox"/>			
Senator John Carona			<input checked="" type="checkbox"/>	
Senator Kevin Eltife			<input checked="" type="checkbox"/>	
Senator Craig Estes	<input checked="" type="checkbox"/>			
Senator Kel Seliger	<input checked="" type="checkbox"/>			
Senator Judith Zaffirini	<input checked="" type="checkbox"/>			
TOTAL VOTES	5	0	2	0

COMMITTEE ACTION

☒ S260 Considered in public hearing

☐ S270 Testimony taken

Reuben Gallego  
COMMITTEE CLERK

Paper clip the original and one copy of this signed form to the original bill  
Retain one copy of this form for Committee files

Eddie Lucio  
CHAIR

## **BILL ANALYSIS**

Senate Research Center

S.J.R. 12  
By: Lucio  
International Relations and Trade  
6/24/2005  
As Filed

### **AUTHOR'S/SPONSOR'S STATEMENT OF INTENT**

The 71st Legislature, Regular Session, 1989, passed S.B. 2, which was the state's first major attempt to address the problems associated with colonias. S.B. 2 established the Economically Distressed Areas Program (EDAP) which provided financial assistance in the form of grants and loans for water and wastewater service to economically distressed areas. The bill made the Texas Water Development Board (board) the EDAP administrator. S.B. 2 directed the board to develop model rules to assure water and sewer services to residential developments and to strengthen platting requirements. Under EDAP, counties or municipalities would be required to adopt the model rules to become eligible for state financial assistance for water and wastewater projects.

While discussing S.B. 2, the office of the attorney general has reported that "incidentally, a basic policy underlying the legislation was that the state would spend millions of dollars to address water and sewer infrastructure needs in existing colonias, but there would be strict laws and rules to prevent new colonias (and costly remediation) from happening."

EDAP was financed in the early 1990s through voter-approved constitutional amendments that authorized the board to issue up to \$250 million in general obligation EDAP bonds. Currently, only a fraction of this bonding authority is left to address the remaining water and wastewater needs of approximately \$785 million in currently-existing traditional EDAP communities.

S.J.R. 12 proposes a constitutional amendment to provide for the issuance of up to \$785 million in general obligation bonds by the Texas Water Development Board for assistance to economically distressed areas.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Article III, Texas Constitution, by adding Section 49-d-10, as follows:

Sec. 49-d-10. (a) Authorizes the Texas Water Development Board to issue additional general obligation bonds, at its determination, for the economically distressed areas program account of the Texas Water Development Fund II, in an amount not to exceed \$785 million. Requires the bonds to be used to provide financial assistance to economically distressed areas of the state as defined by law.

(b) Provides that Section 49-d-8(e) (Texas Water Development Fund) of this article applies to the bonds authorized by this section.

SECTION 2. Requires this proposed constitutional amendment to be submitted to the voters at an election to be held November 8, 2005. Sets forth the required language for the ballot.

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 79TH LEGISLATURE 1st CALLED SESSION - 2005**

**June 24, 2005**

**TO:** Honorable Eddie Lucio, Jr., Chair, Senate Committee on International Relations & Trade

**FROM:** John S. O'Brien, Deputy Director, Legislative Budget Board

**IN RE:** **SJR12** by Lucio (Proposing a constitutional amendment providing for the issuance of additional general obligation bonds by the Texas Water Development Board to provide assistance to economically distressed areas.), **As Introduced**

**No fiscal implication to the State is anticipated, other than the cost of publication.**

The cost to the state for publication of the resolution is \$66,497.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 580 Water Development Board

**LBB Staff:** JOB, CL, ZS, TL

S.J.R. No. 12

By

Lucio

SENATE JOINT RESOLUTION

proposing a constitutional amendment providing for the issuance of additional general obligation bonds by the Texas Water Development Board to provide assistance to economically distressed areas.

JUN 21 2005  
JUN 23 2005  
JUN 29 2005

Filed with the Secretary of the Senate

INTERNATIONAL  
RELATIONS & TRADE

Read and referred to Committee on

Reported favorably

Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

Ordered not printed

Laid before the Senate

Senate and Constitutional Rules to permit consideration suspended by:

{ unanimous consent  
\_\_\_\_ yeas, \_\_\_\_ nays

Read second time, \_\_\_\_\_, and ordered engrossed by:

{ unanimous consent  
a viva voce vote  
\_\_\_\_ yeas, \_\_\_\_ nays

Senate and Constitutional 3 Day Rule suspended by a vote of \_\_\_\_ yeas, \_\_\_\_ nays.

Read third time, \_\_\_\_\_, and passed by: \_\_\_\_ yeas, \_\_\_\_ nays

OTHER ACTION:

\_\_\_\_\_  
SECRETARY OF THE SENATE

\_\_\_\_\_  
Engrossed

\_\_\_\_\_  
Sent to House

Engrossing Clerk \_\_\_\_\_

\_\_\_\_\_  
Received from the Senate

\_\_\_\_\_  
Read first time and referred to Committee on \_\_\_\_\_

\_\_\_\_\_  
Reported \_\_\_\_\_ favorably (as amended) (as substituted)

\_\_\_\_\_  
Sent to Committee on Calendars

\_\_\_\_\_  
Read second time (comm. subst.) (amended) and adopted (passed to third reading) by a record vote of \_\_\_\_ yeas, \_\_\_\_ nays, \_\_\_\_ present, not voting

\_\_\_\_\_  
Read third time (amended) and finally adopted (failed of adoption) by a record vote of \_\_\_\_ yeas, \_\_\_\_ nays, \_\_\_\_ present, not voting

\_\_\_\_\_  
Returned to Senate.

\_\_\_\_\_  
CHIEF CLERK OF THE HOUSE

\_\_\_\_\_  
Returned from House without amendment.

\_\_\_\_\_  
Returned from House with \_\_\_\_\_ amendments.

\_\_\_\_\_  
Concurred in House amendments by a viva voce vote \_\_\_\_ yeas, \_\_\_\_ nays.

\_\_\_\_\_ Refused to concur in House amendments and requested the appointment of a Conference Committee to adjust the differences.

\_\_\_\_\_ Senate conferees instructed.

\_\_\_\_\_ Senate conferees appointed: \_\_\_\_\_, Chairman; \_\_\_\_\_  
\_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_

\_\_\_\_\_ House granted Senate request. House conferees appointed: \_\_\_\_\_, Chairman;  
\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_ Conference Committee Report read and filed with the Secretary of the Senate.

\_\_\_\_\_ Conference Committee Report adopted on the part of the House by: \_\_\_\_\_

{ a viva voce vote  
\_\_\_\_\_ yeas, \_\_\_\_\_ nays

\_\_\_\_\_ Conference Committee Report adopted on the part of the Senate by:

{ a viva voce vote  
\_\_\_\_\_ yeas, \_\_\_\_\_ nays

**OTHER ACTION:**

\_\_\_\_\_ Recommitted to Conference Committee

\_\_\_\_\_ Conferees discharged.

\_\_\_\_\_ Conference Committee Report failed of adoption by: \_\_\_\_\_

{ a viva voce vote  
\_\_\_\_\_ yeas, \_\_\_\_\_ nays